

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KENDALL SLAUGHTER,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 17-cv-630-JPG-CJP
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Before the Court is the parties' Joint Motion for Remand for Further Proceedings Pursuant to Sentence Four of 42 U.S.C. § 405(g) (Doc. 22). The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error and is itself a final, appealable order. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corp. Comprehensive Disability Prot. Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-03 (1993).

The parties agree that, upon remand, "the ALJ will reevaluate the record medical opinions; re-evaluate the claimant's mental RFC, with citation to the medical evidence that supports each of the limitations assessed; re-evaluate the claimant's fibromyalgia under SSR 12-2p; consider the claimant's impairments in combination; and, if warranted, obtain additional vocational evidence."

Plaintiff applied for disability benefits in February 2014. (Tr. 20.) While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on

remand.

For good cause shown, the parties' Joint Motion for Remand (**Doc. 22**) is **GRANTED**. The final decision of the Commissioner of Social Security denying Kendall J. Slaughter's application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g). The Clerk of Court is **DIRECTED** to enter judgment in favor of plaintiff.

IT IS SO ORDERED.

DATED: March 6, 2018

s/ J. Phil Gilbert

J. PHIL GILBERT

UNITED STATES DISTRICT JUDGE